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Attorneys for Defendant and Counterclaim Plaintiff LoopNet, Inc.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:

COSTAR GROUP, INC.,

Plaintiff,

No. 08-CV-1156 (GBD) (GWG)

v.

LOOPNET, INC.,

Defendant
and Counter-
Plaintiff.

: **AFFIDAVIT OF GOOD FAITH**

-----X
:

LOOPNET, INC.,

Counterclaim
Plaintiff,

v.

COSTAR GROUP, INC., and COSTAR
REALTY INFORMATION, INC.,

Counterclaim :
Defendants.

-----X

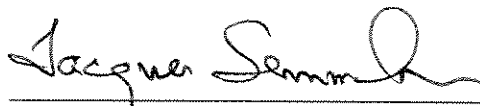
STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Jacques Semmelman, being duly sworn, deposes and says:

1. I am an attorney duly admitted to practice law in the State of New York and in the United States District Court for the Southern District of New York. I am a partner at Curtis, Mallet-Prevost, Colt & Mosle LLP, counsel for defendant and counterclaim plaintiff LoopNet, Inc. ("LoopNet").

2. I submit this affidavit in support of LoopNet's Motion for Expedited Discovery.

3. On June 20, 2008, I participated in a conference call with Elliot Brown, my co-counsel on this case, and Steven Zalesin, counsel for CoStar Group, Inc. The call lasted approximately 45 minutes. During the call, we discussed various issues, including the timing of discovery, briefing, and a preliminary injunction hearing. We did not reach agreement on most issues. We discussed some of these issues again during a conference with Judge Gorenstein later the same day, during which we informed Judge Gorenstein that we would be filing a motion for expedited discovery in conjunction with a motion for a preliminary injunction.



Jacques Semmelman

Sworn to before me this
30th day of June, 2008.



Notary Public

JOAN E. MEZZACAPPA
Notary Public, State Of New York
No. 01ME4833093
Qualified In New York County
Commission Expires June 30, 20 11